

Appl. No.: 10/714,778
Amdt. Dated February 20, 2007
Reply to Office Action of August 21, 2006

Amendments to the Drawings:

The attached sheets of drawings include changes made to Figs. 1, 4A, 8, 9, and 11.

The sheet that includes Figs. 1-3 replaces the original sheet including Figs. 1-3. In Fig. 1, the reference numeral 10 and arrow have been added.

The sheet that includes Figs. 4, 4A, 5A, 5B, 6, and 7 replaces the original sheet including Figs. 4, 4A, 5A, 5B, 6, and 7. In Fig. 4A, reference numeral 68 has been changed to reference numeral 67.

The attached sheet that includes Figs. 8-11 replaces the original sheet including Figs. 8-11. In Figs. 8 and 9, one of the reference numerals 72 has been changed to reference numeral 73. In Fig. 11, reference numerals 88 and 90 have been added.

Attachment: Replacement Sheets
Annotated Sheets Showing Changes

REMARKS

Claims 1-23 are pending and claims 1, 6-12, 17, and 19-23 have been amended.

Applicants appreciate the Examiner's indication in the Office Action that claims 10, 11, 22, and 23 are allowable. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Amendments to the Specification

Applicants have amended the specification to remedy labeling and typographical errors.

Amendments to the Drawings

Applicants have amended the drawings to remedy labeling and typographical errors and to conform to the specification. Specifically, Applicants have amended Fig. 1 to add the omitted reference numeral "10" and the accompanying arrow. Applicants have amended Fig. 4A to change reference numeral "68" to reference numeral "67" to avoid a duplicative use of the former reference numeral in the specification. Applicants have also amended Figs. 8 and 9 to replace one occurrence in each drawing of the reference numeral "72" with the reference numeral "71" to avoid a duplicative use of the former reference numeral in the specification. In Fig. 11, reference numerals 88 and 90 have been added to conform the drawings to the written description.

Applicants submit that no "new matter" has been added by these amendments to the specification.

Claim Objections

Claims 7 and 19 have been amended to place the functional language, which further limits the respective independent claims 1 and 12, in a better form. The dependency of claim 19 has been corrected, as suggested by the Examiner. Claims 6, 10, 17, and 22 have been amended to remedy the typographic errors noted by the Examiner in the Office Action. Accordingly, Applicants request that the objections be withdrawn.

Rejection of Claims Under Obviousness-Type Double Patenting

Claims 1-3, 6-14, and 17-23 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over the pending claims of Application Serial No. 11/278,279. In response, a Terminal Disclaimer for these applications is submitted by way of this Amendment to overcome the Examiner's rejection, in accordance with 37 C.F.R. § 1.321(c). Also included is a Power of Attorney and Statement under 37 CFR § 3.73(b). Accordingly, Applicants respectfully request that the rejection of these claims 1-3, 6-14, and 17-23 be withdrawn.

Rejections of Claims Under 35 U.S.C. § 112

Claims 7, 9, 11, 19, 21, and 23 stand rejected under 35 U.S.C. § 112 as being indefinite. Applicants have amended claims 7 and 19 to place the respective functional limitations in a better form. Applicants have amended claims 9, 11, 21, and 23 to eliminate the language "systematically in a pattern." Accordingly, in view of these amendments, Applicants respectfully request that these rejections be withdrawn.

Rejections of Claims Under 35 U.S.C. § 102

Claims 8, 9, 20, and 21 over Massey

Claims 8, 9, 20, and 21 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 3,274,644 to Massey et al. (hereinafter *Massey*). Claims 8 and 21 are the independent claims subject to this rejection. The Examiner contends that *Massey* shows or teaches all the features of the rejected claims. Applicants respectfully traverse the Examiner's contention.

Independent claims 8 and 20, as amended, each recite "each of said plurality of guides having a plurality of facets inclined at different angles relative to said downward direction." Applicants' specification describes guides (80) with facets (88) and guides (82) with facets (90) in conjunction with Figures 10 and 11. See page 19, line 21 – page 20, line 10. In contrast to claims 8 and 20, *Massey* discloses flat guides having planar surfaces that lack any facets whatsoever. In order for a reference to anticipate a claimed invention, the reference must teach each and every element in the precise arrangement set forth in the claim. If the reference fails to teach even one of the claimed features, the reference does not and cannot anticipate the claimed invention. Based upon at least the structural deficiency of the disclosure in *Massey* identified in the preceding remarks, Applicant respectfully requests that the rejection be withdrawn.

Independent claims 8 and 20, as amended, are patentable for additional reasons. Specifically, Applicants' amended claims 8 and 20 each set forth a manifold including "a plurality of guides positioned proximate to said outlet and aligned in a row oriented generally in the cross-machine direction." The Examiner contends that *Massey* discloses "an outlet (Fig 4, bottom)", and "a plurality of guides (Fig. 4, at #16) aligned in a row proximate to said outlet." *Massey* generally

refers to the structure labeled with reference numeral (16) as a valve panel. In a preferred embodiment, *Massey* refers to that structure as louvers (col. 4, lines 60-75). The louvers (16) in *Massey* are aligned in a row oriented generally in the downward direction. This contrasts with Applicants' amended claim 8 in which the guides are aligned in a row generally oriented in the cross-machine direction. Further, the air flow inside the manifold of *Massey* is directed in a cross-machine direction and is discharged from the manifold through the guides/valve panel/louvers (16). Consequently, the air flow in *Massey* fails to exit the manifold through the outlet (25), in further contrast to Applicants' amended claims 8 and 20. For at least these additional reasons, *Massey* fails to teach each and every element in the precise arrangement set forth in amended independent claims 8 and 20. Consequently, Applicants respectfully request that the Examiner withdraw this rejection.

Because claims 9 and 21 depend from independent claims 8 and 20, respectively, Applicants submit that these claims are also patentable for at least the same reasons as the corresponding independent claim from which each depends. Furthermore, each of these dependent claims recites a unique combination of elements not disclosed or suggested by *Massey*.

Claims 1-7 and 12-19 over Haynes

Claims 1-7 and 12-19 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,709,623 to Haynes et al. (hereinafter *Haynes*). Claims 1 and 12 are the independent claim subject to this rejection. The Examiner contends that *Haynes* shows or teaches all the features of the rejected claims. Applicants respectfully traverse the Examiner's contention.

Independent claims 1 and 12, as amended, each set forth “a first plurality of guides positioned proximate to said outlet and aligned in a first row oriented in the cross-machine direction” and “a plurality of guides positioned proximate to said outlet and aligned in a second row oriented in the cross-machine direction.” The Examiner contends that *Haynes* discloses “a first plurality of guides (Fig 3, #303) positioned proximate to said outlet and aligned in a first row” and “a second plurality of guides (Fig 3, #301) positioned proximate to the outlet of the filament drawing device and aligned in a second row.” *Haynes* discloses a deflector (231) that includes teeth (303) in Figure 3, which are identified by the Examiner as the first plurality of guides. See column 8, lines 1-11. *Haynes* discloses grooves (301), which are identified by the Examiner as the second plurality of guides. Id. The lead lines for each of the grooves (301) in Figure 3 ends at a side surface of one of the teeth (303). Id. Hence, Applicants must assume for purposes of discussion that the Examiner is referring to the side surface of respective teeth (303), rather than grooves *per se*, in his identification of the second plurality of guides in *Haynes*. A person having ordinary skill in the art would understand that the cross-machine direction in Figure 3 of *Haynes* is along the major axis of the support (307). In particular, the deflector (231) is mounted to the fiber draw unit (14) in the cross-machine direction, as shown in Figure 2 in which the wedge shape of the teeth (303) is visible.

As shown in Figure 3, each of the teeth (303) has an orientation that is rotated relative to the cross-machine direction, which a person having ordinary skill in the art would understand precludes alignment of the teeth (303) in a row oriented in the cross-machine direction. Hence, the teeth (303) in *Haynes* are not aligned in a first row oriented in a cross-machine direction. Furthermore and as also shown in Figure 3, each of the side surfaces (301) of teeth (303)

has an orientation that is significantly rotated relative to the cross-machine direction. To a person having ordinary skill in the art, this precludes alignment of the side surfaces (301) in a row oriented in the cross-machine direction. Hence, the side surfaces (301) in *Haynes* are not aligned in a second row oriented in a cross-machine direction, in contrast to Applicants' claims 1 and 12.

If the bolts (305) were loosened and the teeth (303) were rotated to align the teeth (303) in a first row oriented in the cross-machine direction, the side surfaces (301) in *Haynes* would not be aligned in a second row in the cross-machine direction. Instead, each of the side surfaces (301) would be aligned parallel to each other, not in a row. In fact, each of the individual side surfaces (301) would be aligned perpendicular to the cross-machine direction (i.e., in the machine direction). Hence, even if this modification were made to the structure shown in Figure 3 of *Haynes*, the side surfaces (301) in *Haynes* would still not be aligned in a second row oriented in a cross-machine direction, in contrast to Applicants' claims 1 and 12.

For at least these reasons, *Haynes* fails to teach each and every element in the precise arrangement set forth in independent claims 1 and 12, as amended. Therefore, Applicants respectfully request that the Examiner withdraw this rejection.

Independent claims 1 and 12, as amended, are patentable for additional reasons. Specifically, Applicants' amended claims 1 and 12 each set forth "each of said second plurality of guides inclined at a second angle relative to said downward direction." A person having ordinary skill in the art would understand that the downward direction in Figure 3 of *Haynes* is perpendicular to the cross-machine direction extending along the major axis of the support (307) of the deflector (231) and, therefore, generally parallel to the side surface of support (307) at the end of the lead line for reference numeral 307. The side surfaces (301) are oriented in the plane of the

downward direction in Figure 3. Claim terms are presumed to have the ordinary and customary meanings (i.e., plain meanings) attributed to them by a person having ordinary skill in the art. See MPEP § 2111.01. The plain meaning of the term “inclined” to a person having ordinary skill in the art would have been “to deviate from the horizontal or vertical; slant.” See, e.g., American Heritage Dictionary, 3rd Edition, page 687 (1997). Instead of being inclined relative to the downward direction, a person having ordinary skill in the art would comprehend that the side surfaces (301) in *Haynes* are oriented parallel to the downward direction and, therefore, do not deviate from the downward direction or otherwise slant relative to the downward direction.

For at least this additional reason, *Haynes* fails to teach each and every element in the precise arrangement set forth in independent claims 1 and 12, as amended. Therefore, Applicants respectfully request that the Examiner withdraw this rejection.

Because claims 2-7 and 13-19 depend from independent claims 1 and 12, respectively, Applicants submit that these dependent claims are also patentable for at least the same reasons as the corresponding independent claim. Furthermore, each of these dependent claims recites a unique combination of elements not disclosed or suggested by *Haynes*.

New Claims

New Claims 30-32 recite features neither taught nor suggested by any of the documents of record. Therefore, these claims are submitted to be patentable and allowance thereof is respectfully solicited. Support for claim 30 may be found in Figs. 1-4 and 7-11 and the accompanying portions of the specification. Support for claim 31 may be found in Figs. 7-9 and

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the accompanying portions of the specification. Support for claim 32 may be found in Figs. 10 and 11 and accompanying portions of the specification.

Conclusion

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendments and remarks, this application is submitted to be in complete condition for allowance and, accordingly, a timely notice of allowance to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Respectfully submitted,

Martin A. Allen et al.
(Applicants)

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By: Matthew Witsil
Matthew W. Witsil
Registration No. 47,183
Moore & Van Allen PLLC
Attorney for Applicant
430 Davis Drive, P.O. Box 13706
Research Triangle Park, NC 27709
(919) 286-8000 (telephone)
(919) 286-8199 (facsimile)

Attachments